

COURT NEWS

JANUARY-FEBRUARY
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Domestic violence, while far from being eradicated, can no longer hide behind its old mantle as a “family matter” best left to the privacy of the home and, traditionally, not considered a crime.

Officials who deal with family violence on a daily basis know that such violence—which affects families across the entire socioeconomic spectrum, for generations, and often is a threat to the community—will not end if left to itself. A community response is needed. Sacramento County, for one, has been addressing domestic violence since 1979 in a coordinated multiagency process through its Interagency Task Force on Family Violence.

COORDINATED APPROACH
In 1994, the Judicial Council sponsored the first statewide conference on “Family Violence and the Courts: A Coordinated Community Approach” as part of its strategic plan goal to develop family violence prevention programs.

Modeled after a 1993 national conference, the California program brought together judges, prosecutors, and family violence prevention professionals from the 58 counties to encourage and assist them in the creation of countywide family violence prevention coordinating councils. On February 27, county teams will again convene

Courts Undertake Vital Role In Ending Family Violence

for what has become an annual event, “Family Violence and the Courts IV: A California Conference” (*see box, this page*).

Given the bipartisan support family violence prevention continues to receive in the Legislature and the countywide coordinating councils’ innovative and effective methods (*see Court News, February–March 1997,*

“Improving Response to Family Violence”), it is difficult to believe that as recently as 1987, according to the California District Attorneys Association, felons convicted of sexually or physically abusing their spouses were sentenced to significantly shorter prison terms than rapists who assaulted strangers.

DEDICATED COURTS

Today that is no longer true, as more and more courts follow the model of the domestic violence–dedicated court pioneered in 1993 by Judge William S. Cannon at the South Bay Municipal Court (San Diego). In such courts, the goal is to stop the violence in

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Judges are helping

to heal families,

expeditiously

handling cases of

family violence and

offering batterers

the opportunity

to change.

Mark Your Calendar

What: “Family Violence and the Courts IV: A California State Conference”
When: February 27
8:30 a.m. to 5:00 p.m.
Where: Sacramento, DoubleTree Hotel
2001 Point Well Way

The fourth annual conference on the impact of family violence on California’s courts and communities will feature a number of distinguished speakers and experts, including Kathy Schwartz, National Administrator of the Violence Against Women Program Office; Placer County Superior and Municipal Courts Judge James D. Garbolino describing “A Model Domestic Violence Court”; Santa

Clara County Consolidated Courts Judge Leonard P. Edwards speaking on “Judicial Ethics and Family Violence Councils”; and Santa Clara County Consolidated Courts Judge Mary Ann Grilli discussing full faith and credit and the domestic violence registry.

Panels and workshops will be held on such issues as the impact of family violence on children, probation’s response to family violence, batterer intervention programs, and legislation and case law updates. Local family violence prevention coordinating councils will also report on their activities.

● Contact: Lee Meddin, 415-904-5593 (CALNET 8-539-5593).

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What Future Awaits Court Facilities?

Do judges share courtrooms? Where is evidence stored? Does the court have rooms for alternative dispute resolution?

Judges and court administrators around the state will be asked to answer questions like these as part of the Trial/Appellate Court Facility Study required by the Lockyer-Isenberg Trial Court Funding Act of 1997. The act establishes the Task Force on Court Facilities, which will seek to identify the status of current court facilities and determine how to help courts meet their future needs.

The responses are important because they will assist the project team in fulfilling its charge—to identify the facility needs of the trial and appellate courts and offer options and recommendations for funding maintenance, improvements, and expansion. To date, no study has ever been conducted to

identify the physical condition and functionality of court facilities throughout California or to examine larger issues affecting future court facilities, such as changing demographics and population growth.

Following a rigorous review process, Daniel, Mann, Johnson & Mendenhall (DMJM)/Spillis Candela & Partners, in association with Vitetta Group and Justice Planning Associates, was selected as a consultant for this ambitious project.

The final selection of the team of nationally recognized court planning specialists was made from a field of six contractor teams responding to the state’s request for proposals. The selection committee consisted of Judge Michael E. Nail, Solano County Consolidated Courts; George Newal, Assistant Chief Administrative Officer, Santa

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Home, Sweet Home

In the San Francisco Civic Center the Earl Warren Building is being retrofitted and renovated for the California Supreme Court and the First District Court of Appeal, while the new Hiram W. Johnson State Office Building will house a number of state agencies, including the Administrative Office of the Courts. Move-in is expected in early 1999. See story, page 5. Photo: Michael Tye.

Family Violence

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the households of the people who are seen by the courts. The court process is streamlined, and cases are resolved expeditiously.

The South Bay court, for example, handles all family law and domestic violence matters, criminal and civil, regardless of jurisdictional limitations. It handles all misdemeanor family violence matters from arraignments through settlement conferences

and trial readiness. All postplea and postcustody felony matters are assigned to the court for probation monitoring.

The family violence court holds batterers accountable and responsible, while offering them the opportunity to undergo reeducation in a batterers' treatment program, with the intensive involvement of the judge. As in drug courts (*see Court News, June-July 1996, "Judges Take to Heart Their Challenging Drug-Court Role"*), judicial involvement and review are crucial to a

'OVERWHELMING VOLUME'

The impetus for the Sonoma County Courts to initiate a domestic violence court was "the overwhelming volume of cases," says Judge Robert P. Dale. "Many domestic violence cases took three to five months to resolve, and the jury trial calendar was full of domestic violence cases."

Sonoma developed its domestic violence court along the same lines as its drug court, with extensive planning by both the court and the community, says Judge Dale, who ran the drug court for two years. A task force with members from the court and more than a dozen agencies, from probation to the police chief's office, got involved. Judge Dale even took the unusual step of going to the board of supervisors to request funding for senior district attorney and senior public defender positions for the court; the board complied unanimously. The result is a well-oiled operation, with a senior district attorney and senior public defender, one or two domestic violence counselors, and a probation officer in court daily. A countywide protocol includes having a police officer take a Polaroid photo of the victim that is available at arraignment.

Since opening its doors in November, the court has had "close to 160 arraignments, which is a lot in this county," says Judge Dale, "and, of those, the most amazing part is that at least 50 percent pled guilty within the first 10 days, which I've never seen before."

"The court has vastly exceeded my expectations," notes Judge Dale, who calls himself

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Judicial Education on Family Violence Prevention

The Center for Judicial Education and Research (CJER) provides the following programs including a family violence component:

1. Courses with existing programs, publications, and video and audio tapes:

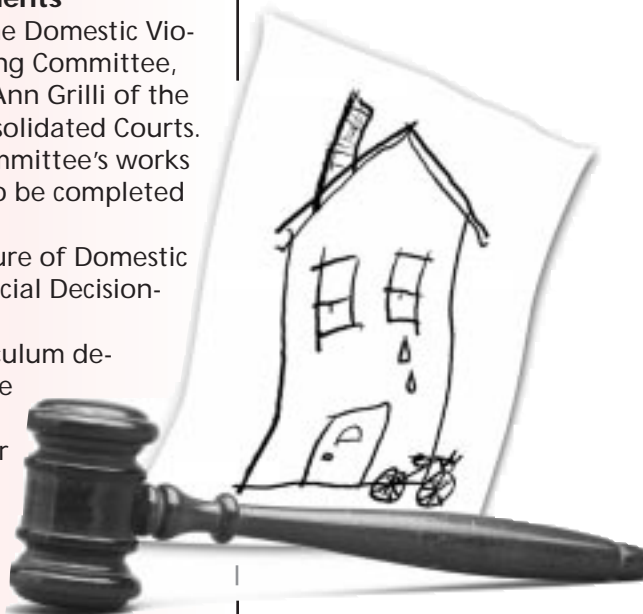
- ❑ B. E. Witkin Judicial College (for new trial court judicial officers)
- ❑ Continuing Judicial Studies Program (CJSP)
- ❑ Basic Family Law Course (for judicial officers newly assigned to family law, offered twice annually)
- ❑ Intermediate Family Law Course (for judicial officers experienced in family law)
- ❑ Relevant substantive law institutes:
 - Criminal Law and Procedure
 - Family Law and Procedure
 - Juvenile Law and Procedure
 - Municipal Courts
 - Rural Courts
- ❑ Publication: *Domestic Violence Cases in Criminal Courts* (1997) (updated annually)
- ❑ Extensive selections from the CJER video and audio tape library (from relevant CJER programs)

2. Segments within more general courses

- ❑ Domestic violence may be a special feature or an area of emphasis within a more general topic. Examples are:
 - When Bias Compounds: Ensuring Equal Justice for Women of Color in the Courts, Winter 1998 CJSP
 - Jurisprudence and Judicial Fairness, CJSP

3. Recent developments

- ❑ Appointment of the Domestic Violence Curriculum Planning Committee, chaired by Judge Mary Ann Grilli of the Santa Clara County Consolidated Courts.
- ❑ The curriculum committee's works in progress, estimated to be completed in spring 1998, are:
 - Video: "The Nature of Domestic Violence: Effects on Judicial Decision-Making";
 - New judge curriculum designed for the new judge or the judge new to domestic violence cases, for potential reference and incorporation into relevant CJER programs and local or regional programs; and
 - Faculty training on the new judge curriculum to provide trained faculty for CJER and local/regional programs based on the new judge curriculum.
- ❑ Future focus
 - Development of domestic violence curricula in family, criminal, and juvenile law; and
 - Development of an educational component on domestic violence for court employees.
- Contact: Bobbie Welling, 415-356-6442 (CALNET 8-531-6442).



defendant's successful compliance with the terms of probation and also have proved to contribute to a substantial reduction in the recidivism rate. "Clearly, frequent review is the most effective," observes Superior Court Judge Stephen L. Mock, of the Yolo County Superior/Municipal Court, who handles all criminal domestic violence cases. "The more hands-on I am, the greater likelihood the defendant will respond by following through on his commitment."

Facilities

Continued from page 1

Clara County, and Representative, California State Association of Counties; Alan Carlson, Chief Executive Officer, Superior Court, San Francisco Trial

meet the needs of the judiciary, the legal community, and the public now and in the future. The study will also:

- ✓ Develop standards and guidelines for judicial facilities;
- ✓ Examine projections of population growth as well as judgeships and staffing;

dures under various options of facility ownership, including:

- A "living" planning process that ensures continuous updating of the Facilities Plan to reflect changing needs, fiscal realities, and political conditions and that is adaptable and available for use by court operations statewide, and
- A similar process for the maintenance and operation of court facilities;

✓ Develop funding options for court facilities; and

✓ Ensure compliance with the requirements of California statutes.

FIVE PHASES

The court facilities project will occur in five phases, with the expectation that each phase will build upon information gathered in the previous one. The phases, which may be combined or overlap to improve the product or schedule, generally fall in the following categories: Project Initiation; Facility Standards for Trial and Appellate Courts; Pro-

jections; Existing Facility Evaluation; and Organizational Models: Development, Management, and Funding of Court Facilities.

The project is expected to be completed by July 2000.

● Contact: Robert Lloyd, Project Manager, 415-396-9197 (CALNET 8-531-9197). ■

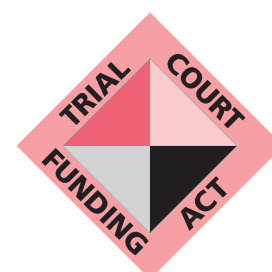
The Task Force on Court Facilities, established by the Lockyer-Isenberg Trial Court Funding Act of 1997, will seek to identify the status of current court facilities and determine how to help courts meet their future needs.

Courts; Dennis Jones, Chief Deputy Director, Administrative Office of the Courts; Joseph A. Lane, Clerk of the Court, Court of Appeal, Second Appellate District (Los Angeles); and Richard Teramoto, Department of General Services representative.

COMPREHENSIVE STUDY

The statewide study's primary purpose is to gather information and make recommendations on the best way to own, operate, and manage judicial facilities so they

- ✓ Assess the physical and operational condition of facilities, identify deficiencies, and prioritize corrective actions for inclusion in a comprehensive capital utilization and improvement plan for statewide court facilities ("Facilities Plan") that quantifies construction, maintenance, and repair needs and is supportable by the Legislature, the counties, and individual court jurisdictions;
- ✓ Develop organizational models and operating proce-



Look for more information about the Lockyer-Isenberg Trial Court Funding Act of 1997 on page 8.

Family Violence

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“the original skeptic.” Watching the South Bay court and others in action, however, and seeing how effective they could be convinced him to assemble the task force. Today, he says, “I’m still astonished at how successful it’s become.”

‘SWEET AND SOUR’

Rio Hondo Municipal Court (Los Angeles) Judge Peter Joseph Meeka, who with Judge Francis A. Gately, Jr., has run the domestic violence court since January 1995, calls their approach “sweet and sour.” The sour part occurs up front. Most defendants are arraigned in custody. Should the court find that the victim could be in danger if the defendant is released, bail is set at \$30,000 to \$40,000 for the

counseling program immediately after release from jail,” says Judge Meeka. “Ninety-nine percent come to see me,” adds the judge, who calls the approach “constructive intimidation.”

The sweet part, he continues, is when the judge reads positive reports that a defendant is not only attending counseling but also participating actively and beginning to change his attitude about his abuse and violence. Then, says Judge Meeka, “I pat him on the back and encourage him to do better.”

TOUGH, NOT DRACONIAN

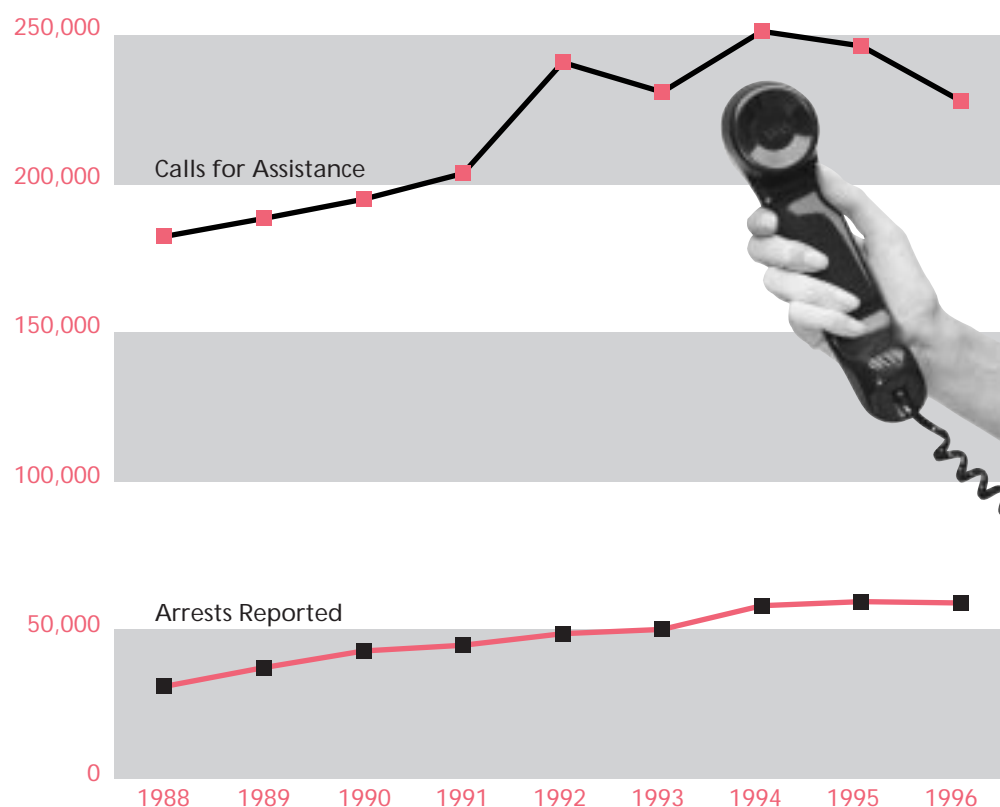
His philosophy, explains Judge Meeka, “is to be tough, very, very strict, but not draconian. The defendants do not understand that we take a very intense interest in their success and that it only works if they work at it.”

The welfare of the children of violence is also a concern of the Rio Hondo court. If children witnessed the violence at home, the Department of Child and Family Services (DCFS) becomes involved. The district attorney faxes the DCFS a copy of the police report and a social worker talks with the parents and children within two weeks of the incident. This networking among the agencies, Judge Meeka notes, supports the court’s philosophy of healing families in crisis.

IMMEDIATE CONSEQUENCES

At the Western Riverside Municipal Court, of the Consolidated/Coordinated Superior and Municipal Courts of Riverside County, Commissioner Becky Dugan swiftly metes out punishment to defendants if they fail to comply with probation or fail to appear for their first progress hearing. If defendants appear but have failed to comply, she assigns them to the Sheriff’s Work Program in lieu of custody. If a defendant fails to appear, she is-

Domestic Violence-Related Calls and Arrests: Statewide Totals, 1988–96



California law enforcement agencies started reporting domestic violence-related calls to the Department of Justice in 1986, in compliance with Penal Code section 13730; 1988 is the first year for which comparable data exist. The numbers include both cases where an arrest was made and those where circumstances did not warrant an arrest. Arrest figures are for adults and juveniles arrested for spousal abuse under Penal Code section 273.5. Source: Law Enforcement Information Center, Department of Justice, California Attorney General’s Office.

sues a warrant that day for the sheriff to immediately pick up the individual. Depending on the defendant’s attitude, he may be jailed or reinstated into the program, with 15 days of work instead of jail. “We’re down to 30

arraignment to point of trial. But the whole community is involved in making families safer. “The fact that all the agencies which provide information or services to people charged with domestic violence were included

“[The experience] has eliminated some of the pessimism about human nature I’ve developed over 25 years in the criminal justice system. I find that I have become much more optimistic about people’s ability to change, if they want to change.”

—Judge Stephen L. Mock, Superior Court, Yolo County Superior/Municipal Court

percent in failure-to-appear, from 80 percent,” reports Commissioner Dugan, who last June implemented the first phase of the domestic violence court.

In the current phase two, family law cases are consolidated with the criminal calendar. Thus, Commissioner Dugan is able to see whether a defendant she put on probation is violating a restraining order and, if so, provide immediate protection for the spouse or partner and add immediate consequences for the defendant.

In the third phase, the commissioner envisions taking a greater step toward “treatment of the entire dynamic of the family” with procedures to expedite the protection of children in families of violence.

CIVIL, CRIMINAL

At the year-old Yolo County Family Violence Court, Superior Court Judge Donna M. Petre handles civil domestic violence matters, while Judge Mock handles the criminal matters, from

at the outset was critical,” says Judge Mock.

Judge Petre notes that every day in court the services of a domestic violence attorney and a parental abduction attorney are available, as are on-the-spot drug testing and mediation. There is a class for children ages 9 to 12 of high-conflict divorce, and a low-cost supervised visitation program is held at a local church for children who face the threat of abduction or whose parents have drug problems or are involved in family violence.

“There’s no doubt that we are making a tremendous impact on the community,” says Judge Petre. In the past, victims of abuse would have to find their way to court and fill out the papers, she says. “Today, a domestic violence attorney knows the case and is present in court to assist. In the most serious cases the attorney represents the victim to try to help the parties through the crisis, such as a divorce.”

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Take Note

The Court’s Response to Domestic Violence, produced by the National Association for Court Management (NACM), offers information and tools for addressing family violence. The 44-page guide is \$5 for NACM members and \$8 for non-members (make checks payable to NACM).

● Contact: NACM, c/o National Center for State Courts, 3000 Newport Avenue, Williamsburg, VA 23185.

Family Violence
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MAKING A DIFFERENCE

Judge Dale suggests that the family violence court, like the drug court, is a throwback to the 1950s and 1960s, when judges

“The surprising thing about this assignment is that there are any number of people who I never would have guessed would have or could have changed,” observes Judge Mock. A former district attorney, he adds, “[The experience] has eliminated some of the pessimism about hu-

Judge Meeka—who describes his assignment as “professionally time consuming and personally rewarding”—says, “Judges can make a difference if they want to in families in crisis.” He cites his own court as an example: “Through involvement, we have saved lives and stopped beatings. We have a couple of thousand men in our jurisdiction who now are reflecting on their relationships with their wife, girlfriend, and family. Some say they get along better now with people in general and wish they had had this kind of counseling when they were in high school.”

South Bay’s Judge Cannon has no doubt about the specialized court’s power to alter attitudes and rebuild families. “The statistics show a distinct decrease in recidivism and domestic vio-

lence everywhere a domestic violence court has opened,” he points out. “There is no excuse whatsoever for any court, of any size, in any county, not to open up a specialized domestic violence department,” he states emphatically, adding, “If people want to do something, they can make a change.”

Judge Petre attests to that. “The experience has confirmed that courts can make a difference in people’s lives,” she says. “Specialized courts focus the judge on what the court can do to help parties overcome the problems that existed in their families. If we do it through constant monitoring and increased resources we can make a difference for people who live in the community. We see that on a daily basis.” ■

“There is no excuse whatsoever for any court, of any size, in any county, not to open up a specialized domestic violence department.”

—Judge William S. Cannon, South Bay Municipal Court (San Diego)

had the time to deal with problems “upfront, with immediate direction and judicial intervention and monitoring, and the services of skilled, experienced attorneys.”

man nature I’ve developed over 25 years in the criminal justice system. I find that I have become much more optimistic about people’s ability to change, if they want to change.”

Domestic Violence Caseloads in 31 States, 1994–96

Over the past decade, domestic violence filings have been the most rapidly growing subcategory of domestic relations caseloads (which also include divorce, custody, paternity, interstate support, adoption, and miscellaneous filings) in state courts, according to the National Center for State Courts (NCSC).

In the following table compiled by the NCSC, states able to provide three years of comparable data are ranked by their domestic violence filing rate per 100,000 population in 1996, the most recent year for which statistics are available. The table also includes a population rank and a three-year growth index, which is the percentage change in the number of

domestic violence filings between 1994 and 1996. Of the 31 states, 10 reported an increase of 20 percent or more over the three-year period. Some of the variation in both the number of filings

per 100,000 and in the percentage change in filings from 1994 to 1996 is attributable to differences in statutory definitions of domestic violence, police arrest policies, and access to protection

orders. Furthermore, recent legislative action to extend and toughen penalties in cases of domestic violence contributes to the large increases in caseloads since 1993.

Source: *Examining the Work of State Courts, 1996: A National Perspective from the Court Statistics Project.*
● Contact: *Examining the Work of State Courts, 1996* (\$25) and *State Court Caseload Statistics, 1996* (\$15) may be obtained from the National Center for State Courts Fulfillment Department at 888-228-6272 or by e-mail: ncsc.orders@aidcvt.com. For technical assistance regarding state court statistics, contact Margaret Fonner at 757-259-1883 or e-mail: mfonner@ncsc.dni.us.

State	Filings per 100,000 Population	No. of Filings			Percent Growth 1994–96	Population Rank
		1996	1995	1994		
UNIFIED COURTS						
District of Columbia	914	4,967	3,906	3,496	42	51
Massachusetts	825	50,261	54,694	54,618	–8	13
Minnesota	679	31,646	31,484	29,898	6	20
Missouri	663	35,502	33,407	28,647	24	16
Idaho	561	6,677	7,833	7,197	–7	41
Kansas	268	6,895	11,830	10,160	–32	33
Iowa	175	4,979	5,379	4,288	16	31
North Dakota	171	1,100	1,055	720	53	48
Connecticut	162	5,289	5,450	5,147	3	29
GENERAL JURISDICTION COURTS						
New Jersey	913	72,907	75,650	65,508	11	9
New Mexico	791	13,547	12,994	11,721	16	37
West Virginia	777	14,178	13,992	12,889	10	36
Alaska	762	4,627	4,497	4,459	4	49
Vermont	760	4,473	4,633	4,114	9	50
Kentucky	687	26,684	27,002	23,419	14	24
New Hampshire	654	7,604	7,459	5,651	35	43
Florida	554	79,723	69,175	63,284	26	4
Washington	552	30,555	31,555	30,099	2	15
Maine	537	6,680	7,026	6,346	5	40
Arizona	519	22,967	24,784	21,094	9	21
Oregon	451	14,451	16,785	17,122	–16	30
Delaware	431	3,124	2,575	860	263	47
Rhode Island	418	4,137	4,519	4,166	–1	44
Maryland	371	18,805	16,537	14,513	30	19
Utah	342	6,833	4,980	3,590	90	35
Indiana	286	16,676	14,955	15,897	5	14
New York	285	51,818	50,717	49,802	4	3
Arkansas	278	6,988	5,833	4,790	46	34
Wyoming	272	1,310	1,212	1,258	4	52
Hawaii	216	2,553	2,928	2,732	–7	42
Ohio	67	7,444	6,573	5,506	35	7

Courts Test Judicial Information Network

“Create a comprehensive and integrated information distribution network to connect and serve the entire judicial branch, other agencies, and the public.”

—Goal III, Modernization, Court Technology Policy Direction No. 4, *Leading Justice Into the Future: Judicial Council of California Long-Range Strategic Plan and Fiscal Year 1998–99 Administrative Office of the Courts/Advisory Committee Action Plan*, adopted May 16, 1997

Eight Bay Area courts are participating in a unique pilot project that will initiate a sea change in judicial branch communications.

The first phase of the California Judicial Network (CJN), sponsored by the Judicial Council's Court Technology Advisory Committee, provides the foundation for a secure judicial branch network that will connect courts statewide in cyberspace. The Information Systems Bureau of the Administrative Office of the Courts (AOC) is implementing the project, which is expected to be completed during the next two years.

CJN pilot participants—from Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, and Sonoma Counties—include some 300 judicial officers, clerks, executive officers, and information systems personnel who are computer literate and likely to use the system.

During the first phase of CJN's development, participants are able to send and receive e-mail that cannot be tampered

with or intercepted. While local network security remains the same, CJN adds security over the Internet. Messages are encrypted at the county Internet connection when they are sent and are unencrypted at the recipient's county or court Internet connection; encryption is only over the Internet and does not change existing security arrangements within a county. Participants can also communicate between different e-mail systems, such as Lotus Notes, cc:Mail, and Microsoft Exchange.

RAZING TOWER OF BABEL

“The existence of a network such as CJN is critical to Chief Justice George's vision of our court system eliminating its electronic Tower of Babel,” says Sacramento Superior and Municipal Courts Judge Thomas M. Cecil, advisory committee chair. (See “Message from the Chief Justice,” *Court News*, June–July 1997, “Court Technology: Razing the Tower of Babel.”)

“The ability of our courts to more effectively communicate and to share data of mutual con-

cern, with other courts as well as other branches [and] levels of government, is a crucial step in making our overall government more responsive and efficient,” observes Judge Cecil. “Absent networks such as CJN, our collective efforts will continue to be duplicative, cumbersome, and more prone to error.”

Participants' use of the network will help determine how well it works, what services should be added, and how the Judicial Council can further use the Internet. The AOC design team will evaluate CJN based on users' experience and, as necessary, modify services to make the network more user-friendly and efficient before considering its use elsewhere in the state.

NETWORK USES

Pilot project participants can use the CJN for several purposes, such as to:

- ▶ Send a secure message, including attached documents, to another participant on the network;
- ▶ Send documents or messages to a select group of people, such as committees and project teams;
- ▶ Submit monthly statistical reports to the AOC;
- ▶ Receive confidential materials from the Judicial Council or other network users; and
- ▶ Survey persons on the network about a specific issue.

FUTURE FEATURES

Once CJN is in place statewide, some of the following features may be added:

- ▶ News groups on the Web site so that participants can hold multiparty conversations on the computer;
- ▶ Access to every CJN subscriber;

▶ Access to databases, such as the directory of certified court interpreters, the Judicial Branch Statistical Information System, Judicial Council rosters, and judicial opinions;

▶ Access to case management systems, such as the FORECOURT system that is used in the appellate courts;

▶ Access to and transmission of human resources and budget data;

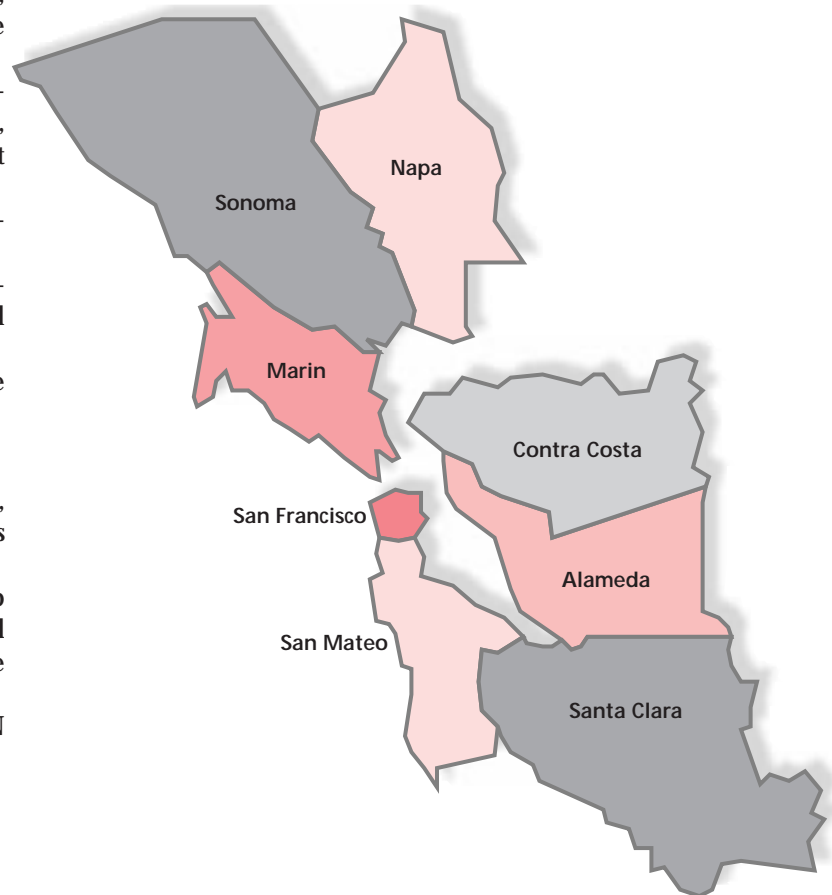
▶ Access to a “help desk” for information on document sharing and AOC projects; and

▶ Password security at each computer.

● Contact: Victor Rowley, 415-396-9271 (CALNET 8-531-9271), e-mail: victor_rowley@jud.ca.gov, or Shauna Denkensohn, 415-396-9282 (CALNET 8-531-9282), e-mail: shauna_denkensohn@jud.ca.gov, both in the Technology Policy and Planning unit of the Information Systems Bureau. ■



Judge Thomas M. Cecil



AOC QUARTERS

The AOC's new quarters will include a formal meeting room with gallery seating and a pre-and post-meeting room for the Judicial Council; three general-purpose classrooms, two of which will be divisible into smaller rooms; one dedicated computer training room that will be divisible into two; facilities for distance learning; a video teleconferencing room; conference rooms; and executive offices. The office areas throughout the agency will reflect the open planning prevalent in modern offices, with 70 percent of the work space using systems (modular) furniture and 30 percent devoted to conventional offices.

State-of-the-art technology will enable broadcast of courtroom activities or Judicial Council meetings via closed-circuit television in other areas of the facility. A conference room in the basement will have a 350-person seating capacity.

● Contact: Michael Tye, Project Manager, 415-396-9180 (CALNET 8-531-9180). ■

Retrofitted, Renovated Facility

Supreme Court, First Appellate District, AOC Head Home in 1999

You can go home again, especially if it's been retrofitted.

That will be true, come January 1999, for the Supreme Court and the First District Court of Appeal, which will be back at their former address at 350 McAllister Street in San Francisco's Civic Center, but in seismically retrofitted and historically renovated facilities. (See photo, page 1.) The courts were forced to vacate the building following the disastrous 1989 Loma Prieta earthquake.

The six-story building housing the courts, a federally recognized National Historic Landmark named after U.S. Supreme Court Chief Justice Earl Warren, is being rehabilitated to reveal some hidden treasures, like a skylight in the fourth-floor courtroom. The

courtroom, which was significantly altered in the 1950s, will be reminiscent of the original courtroom completed in 1922 but will feature improved acoustics and lighting and state-of-the-art audio and video equipment.

The clerk's offices for both the Supreme Court and Court of Appeal will be on the first floor, providing convenient customer access and service.

NEW STATE BUILDING

Contiguous to the historic building will be a new 14-story state office building housing the Administrative Office of the Courts (AOC), which will occupy the third, fifth, and sixth floors; the courts' law library, which will occupy the fourth floor; the State Department of Justice; the Department of Industrial Rela-

tions; the Board of Equalization; the Franchise Tax Board; the Commission on Judicial Performance; and the offices of the Governor, legislators, and the Attorney General. The new office building, named the Hiram W. Johnson State Office Building, replaces the seven-story structure at 455 Golden Gate Avenue. Hiram W. Johnson, the 23rd Governor of California, served from 1911 to 1917 and then went on to serve as a U.S. Senator.

The Johnson State Office Building, making the most of open space and natural light, will feature a central atrium that will bring light into the building's interior core. It will also house a children's day-care center, a cafeteria, and small retail shops.

Team leaders from the state's 58 counties are gearing up for the first Statewide Community-Focused Court Planning Conference, a unique opportunity for court and community leaders to come together to focus on local court action planning with an emphasis on community involvement.

At a preconference meeting scheduled for Marc

For the Children’s Sake

Juvenile Court Focus Of ‘Beyond the Bench’

Nearly 500 professionals and community leaders dedicated to improving the lot of children gathered in San Francisco for “Beyond the Bench IX,” an annual program focusing on enhancing the delivery of services to children and families. The conference, held December 10 through 12, was sponsored by the Judicial Council and the California Department of Social Services with funding support from the U.S. Department of Health and Human Services (DHHS).

“For years, ‘Beyond the Bench’ has had as its purpose to develop working relationships between judges, child welfare directors, attorneys who appear in juvenile court, child advocates, and others who work in the complex juvenile dependency system,” stated Santa Clara County Consolidated Courts Judge

Leonard P. Edwards, chair of the Family Law Subcommittee of the Judicial Council’s Family and Juvenile Law Advisory Committee.

UNIQUE ASPECT

The 1997 conference, however, was unique. For the first time, the conference used countywide teams—groups of five to six representatives from various areas of the juvenile dependency system and led by juvenile court judges—that were charged with developing an action plan for implementing a Court Improvement Project in their counties. Altogether there were 51 working county teams, along with teams from the Judicial Council, the State Department of Social Services, tribal courts (representatives of the Hoopa, Washoe, and Karok Tribes), and the State Court Appointed Special Advocates (CASA) Association.

The action plans were based on information obtained from the statewide assessment phase of the California Court Improvement Project but also varied by county, depending on local strengths, problems, and needs. Funded by the DHHS, the Court Improvement Projects under way across the country are intended to improve juvenile court systems nationwide.

In addition, conference attendees heard from an array of experts and leaders focusing upon court improvement and became familiar with the ways in which local courts could improve their operations.

Participants drew inspiration from Chief Justice Ronald M. George, who in a keynote address said, “Courts cannot act alone—they must work with the relevant agencies in order to make determinations in the best interests of the children. . . . By coordinating [our] efforts, we can find creative and innovative ways to improve how courts resolve cases involving abused and neglected children.” The Chief Justice also noted, “The need for focusing on this vulnerable group of our population was highlighted for me when I re-

viewed my [court] visits and realized that the two worst facilities that I encountered were ones for juveniles.”

FOLLOW-UP

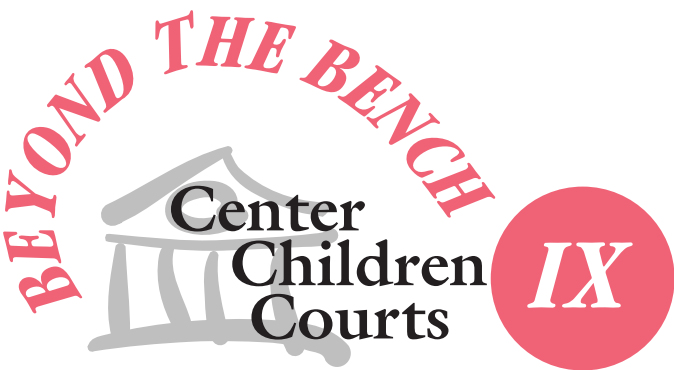
Following up on the “Beyond the Bench” conference, the Judicial Council and Administrative Office of the Courts staff will provide support and technical assistance to the teams, including site visits to each county. Another conference, planned for the end of 1998, will highlight team progress.

“This is an ongoing process,” emphasized Judge Edwards, “one which will result in a broad range of improvements to California’s juvenile dependency courts.”

● Contact: Christopher Wu, 415-396-9297 (CALNET 8-531-9297). ■



Judge Leonard P. Edwards



MESSAGE FROM THE JUDICIAL COUNCIL

Preserving Judicial Independence Is Both An Individual and a Collective Responsibility

BY JUDGE ALBERT DOVER
NEVADA COUNTY COURTS

John Donne said, “No man is an island.” I believe the same can be said about the institutions of government. No branch of government, including the judicial, can operate independently of the other branches. This, of course, recognizes the Founders’ intent that each branch should operate as a check and balance of the others. More, however, is at play here.

Institutions do not interact. People do. It is incumbent on the people who are part of or concerned about the institutions to interact so as to preserve and enhance the independence of the branches of government. It is easy enough to recognize the harm inflicted by the Legislature and executive branch upon the trial courts of this state when, for example, we look at trial court funding having been held hostage by a disagreement over the noneconomic bargaining rights of a group of employees. Whatever importance such an issue may possess, it hardly merited crippling a branch of government to the point of courtroom closure.

Chalking up such political gridlock to “business as usual” for the other branches of government will not further the goal of judicial independence. It will only breed cynicism and lack of action. Demands made on the other

branches to acknowledge the importance of an independent judiciary will not result in meaningful change from the status quo. Legislators know they have the power of the purse, and judicial reminders of the importance of independence are lost amid partisan politics. If the executive branch controls the police power and the Legislature the money, where then is the power of the judiciary? How can the judicial branch ever hope to realize its goal of independence?

INTERDEPENDENT AND INDEPENDENT

I would start with an awareness of the contradiction that we are truly interdependent and that our independence requires constant, conscious efforts to interact with the people of the other branches of government and the citizenry in general.

Hence, our survival as a truly independent branch requires that we find every opportunity to educate. An understanding that the impartiality and independence of the judiciary are more a human right of the consumer of justice than a privilege of the judiciary

for its own sake is crucial. Simply put, there is no democracy without an independent judiciary. One only needs to see the despair and corruption that exists worldwide in those countries that have weakened or only paid lip service to the judicial branch. One shouldn’t need to experience anarchy or tyranny to know the safety of the rule of law; but to appreciate it perhaps one must.

SEIZE, CREATE CHANCES TO EDUCATE

Nevertheless, it is for us, those managing or connected in any way with the justice system, to make the case with the other branches of government and citizenry by seizing and creating opportunities to educate.

Small claims and traffic court held at high schools; basic citizenship classes in elementary and middle schools; “meet your judges” programs—these ideas and other modalities to reach out and educate are perhaps our best chance to have a citizenry supporting the important goal of judicial independence.

The California Judges Association’s (CJA) Response to Criticism

Protocol is staffed by volunteer judges and designed to correct publicly disseminated misinformation about judges or the judiciary in order to forestall the denigration of the esteem in which both are held. We must protect our institutional and personal character so as to maintain the public trust and not have our reputations soiled by allowing untruths to go uncorrected.

It is for you to find a way to make a contribution, be it through serving on a CJA Response to Criticism “team” for your county, volunteering to speak at a local high school, working with the Judicial Council or CJA on one of their many committees, supporting the American Judicature Society’s Center for Judicial Independence, or perhaps creating a new avenue for education.

In the end, our judicial institution will be as independent as our individual and collective efforts make it.



Judge Albert Dover



Questions and Answers:

AB 233 Implementation Clarified

The following is excerpted from “Questions and Answers Concerning Implementation of AB 233,” which appears in *Ensuring Equal Access to Justice—The Lockyer-Isenberg Trial Court Funding Act of 1997/AB 233 (Escutia and Pringle): Resource Manual* (December 1997). Look for more questions and answers in future issues of *Court News*.

The questions and answers were compiled jointly by the Judicial Council of California/Administrative Office of the Courts (AOC), the California State Association of Counties (CSAC), and the California State Department of Finance (DOF). The questions primarily grew out of five workshops conducted in November and December 1997, with participation from more than 800 court and county representatives, as well as direct contacts by the courts and counties with the AOC, CSAC, and DOF since AB 233 was enacted in September 1997.

Note: The answers are for informational purposes only and do not constitute and should not be relied upon as legal advice.

I. BUDGETING AND FUNDING RESPONSIBILITIES—WHO PAYS FOR WHAT?

A. Calculation of County Base Obligation/Adjustments to the Base

Q (a) How is the county general fund base obligation amount calculated? (b) How is the county revenue base obligation amount calculated? Are both city and county fines included?

A (a) The county obligation is derived by: (1) taking the total actual expenditures for fiscal year 1994–95 as reported in the Quarterly Report of Revenues and Expenditures submitted by each county on behalf of the trial courts within its jurisdiction; (2) subtracting judicial officer costs reported by the courts (i.e., Function 1); (3) adding in full fiscal year 1995–96 judicial officer costs (i.e., municipal and superior court judicial officer salaries and state-provided benefits), adjusting for a 2 percent vacancy rate; (4) subtracting reported expenditures for Collections Enhancements costs for fiscal

year 1994–95 (i.e., Function 5), and subtracting the actual allocation of state funding to each county in fiscal year 1994–95, including salaries and state-provided benefits for superior court judges.

(b) The fine and penalty revenues reported for fiscal year 1994–95 remitted to the state on a cash basis for deposit in the state General Fund were used to determine each county’s obligation. Trial court revenues remitted to the state that are included in the base year calculation include those collected and deposited in the state General Fund pursuant to Pen. Code, §§ 1463.001 (excluding maintenance of effort (MOE) payments), 1462.3, and 1464; Veh. Code, §§ 42007 and 42008; and Gov. Code, §§ 29550, 27361, and 76000. These amounts do not include penalty assessments deposited in the State Penalty Fund, amounts distributed to cities, or amounts retained by counties prior to AB 233. Since there are differences between county accounting practices and those used by the state in accounting for receipt of fines and forfeitures, additional, detailed questions should be forwarded to the Finance Bureau of the Administrative Office of the Courts (AOC) for further clarification.

See Gov. Code, §§ 77201 and 77201.1.¹

Q The county spent more on allowable court operations² in fiscal year 1996–97 than in fiscal year 1994–95. Does that mean the court’s budget will be reduced?

A The amount each county is required to send to the state has no impact on the amount of Trial Court Funding each court system will receive. In allocating the available funding to the trial courts, the Judicial Council will consider, among other factors, prior fiscal year actual expenditures.

See Gov. Code, § 77202.

...

B. Trial Court Budgeting and Allocation

Q Has a new allocation formula been established by the Judicial Council to determine the amounts to be allocated to trial courts for fiscal year 1997–98? If so, (a) What is its effective date? (b) What criteria are used in determining this formula? (c) What effect will trial court coordination have in determining the allocation formula?

A Because of the transitional nature of fiscal year 1997–98, a limited amount of funding is available. On November 14, 1997, the Judicial Council adopted an allocation and distribution schedule reflecting the total amount of funding available as of that date. This schedule includes amounts already allocated in the first half of the fiscal year. The allocation schedule adopted by the council for fiscal year 1997–98 was based on 1996–97 expenditures.

With respect to trial court coordination, Gov. Code, § 77212 provides that one-fourth of 1 percent of the total State Budget appropriation for trial court funding be set aside in the Trial Court Improvement Fund to be allocated by the Judicial Council to reward court coordination efficiencies. For fiscal year 1997–98, this amount is approximately \$2 million, due to the delayed implementation of AB 233.

See Gov. Code, §§ 77202, 77206, and 77209.

Q Why is the Judicial Council using \$1.596 billion as the baseline budget for fiscal year 1997–98 instead of the \$1.71 billion baseline provided by the Judicial Council Trial Court Budget Commission (TCBC)?

A The final legislatively approved base budget of the trial courts for fiscal year 1997–98 is \$1.596 billion, not including funding for the Assigned Judges Program. The \$1.71 billion refers to the budget proposed by the TCBC and approved by the Judicial Council for submission to the Governor and the Legislature. The requested amount was reduced by the Legislature to the approved budget level.

...

II. LOCAL BUDGET AND FISCAL ADMINISTRATION—WHO’S RESPONSIBLE FOR PAYING THE BILLS AND KEEPING TRACK OF WHAT IS SPENT?

Q The bill speaks to funding provided to a county court system being allocated by the presiding judge. How will the allocation be made if a county court system does not have a single presiding judge?

A Gov. Code, § 77009(b) reads “The presiding judge of each court in the county, or his or her designee, shall authorize and direct expenditures from the fund. . . .” However, since the Judicial Council allocation will be to all courts in the county in the aggregate, presiding judges of the courts must agree on the amounts allocated specifically to each court. The Judicial Council may, in adopting budget management procedures and guidelines, provide more direction as to how such funding will be allocated to each court.

See Gov. Code, §§ 77001, 77009, 77202, and 77206.

New, Higher Filing Fees Take Effect

New and increased filing fees, effective January 1 in all California superior and municipal courts, are expected to raise a projected \$44 million during fiscal year 1997–98 for trial court funding. The fee increases—the result of the Lockyer-Isenberg Trial Court Funding Act of 1997—are expected to generate approximately \$87 million annually.

In addition to increasing court fees, the new trial court funding legislation, Assembly Bill 233, consolidates all court funding at the state level, caps the counties’ financial responsibilities, and requires the state to fund all future growth in court operations costs.

Among the fee increases are the following:

Superior Courts

- ☐ First paper filing, from \$182 to \$185.
- ☐ Change of venue, from \$14 to \$23.
- ☐ Probate filing, from \$182 to \$185.
- ☐ Subsequent paper probate, from \$14 to \$23.
- ☐ Motion, from \$14 to \$23.
- ☐ Certificate on filing notice of motion prior to appeal, from \$14 to \$23.
- ☐ Proceedings regarding custody and visitation of minor children, from \$15 to \$20.

Municipal Courts

- ☐ First paper filing, from \$80 to \$90 (\$83 in cases where the amount demanded is less than \$10,000).
- ☐ Certificate and transmitting transcript and papers on appeal, from \$6 to \$10.
- ☐ Small claims filing (12 or fewer filings within 12-month period), from \$15 to \$20.
- ☐ Additional small claims filings within 12-month period, from \$30 to \$35.

New Fees

- ☐ Amended complaint filing in superior court, \$75.
- ☐ Amended complaint filing in municipal court, \$45.
- ☐ Motion in small claims matters, \$14.

Note: Base filing fees are the same in all counties, but actual filing fees may vary from county to county depending on action by local boards of supervisors.

Education & Development

WORKSHOPS

Security issues focus of April conference, expo

Judges, court administrators, and security personnel are invited to attend the California State Sheriffs' Association's (CSSA) Court Security Conference and Exposition, which will be held at the Oakland Marriott City Center from April 6 through 8.

Chief Justice Ronald M. George will deliver the keynote address.

Presentations and trainers will discuss many issues of concern to courts (*see Court News, August-October 1997, "Courts Statewide Seek Relief for Growing Security Concerns"*). They include judicial protection, by the Orange County Marshal's

Office; computer systems security, by the Federal Bureau of Investigation; high-profile cases, by the Los Angeles Sheriff's Department; subversive groups, by the California Department of Justice; bombs and suspicious packages,

by the U.S. Postal Service; court facility entry screening, by the U.S. Marshal's Service; and security devices and electronic belts, by the San Diego Marshal's Office.

● **Contact:** For advance registration and fee information, California State Sheriffs' Association, 916-448-4242.

Appellate staff training in full swing

Appellate court staff managers will gather this spring for the Appellate Management Institute, tentatively scheduled for April 23 and 24 in San Diego. Clerks, managers, and administrators from the Supreme Court and the Courts of Appeal will discuss practical, operational matters in the appellate courts as well as principles of general management development.

Two training programs with an appellate-court focus were held at the end of 1997, attracting nearly 100 appellate court staff statewide. Both programs were conducted by the Education Division of the Administrative Office of the Courts (AOC), with the assistance of the Appellate Court Services unit, in an ongoing effort to expand training and educational opportunities specific to the appellate courts.

Human resources management, improving morale and motivation, workplace violence, and employee rights were among the topics covered in the Appellate Employment Symposium held December 11 and 12 in San Diego. The program was designed for judicial officers, appellate court managers—principal attorneys, clerks of court, chief deputy clerks—and other staff who have personnel-related responsibilities in the appellate



courts. The program provided information about the legal responsibilities of managers and employers, updates on recent changes in federal and state legislation related to personnel matters, and models for effective personnel and human resource management in the court setting.

Faculty included Professor Theodore Curry of Michigan

State University, a specialist in human resources education and training, and labor and employment specialists from the firm of Curiale, Dellaverson, Hirschfeld, Kelly, and Kraemer. Symposium participants gave high marks to both the presenters and the program content. One participant remarked that the faculty "presented a digestible amount of material, entertainingly, augmented with helpful answers to specific questions raised, and supplemented by excellent written materials."

Approximately 70 clerks, secretaries, librarians, system administrators, and other administrative court staff gathered in San Jose on November 12 and 13 for the third Appellate Staff Continuing Studies Program. The Sixth District Court of Appeal hosted the program. Presiding Justice Christopher C. Cottle and Associate Justice Patricia Bamattre-Manoukian of the Sixth District Court of Appeal and Catherine Lowe, Director of the AOC's Education Division and the Center for Judicial Education and Research, welcomed the group. The court provided a continental breakfast and site tour on the program's second day.

Workshop topics were varied and received consistently positive reviews overall. Plenary sessions included a facilitated group discussion of issues unique to working in the Courts of Appeal and a lively closing program focusing on practical tips for working successfully with different personality styles. Participants chose from among a variety of breakout sessions, ranging from general administrative topics to more technical aspects of appellate court work. A repeated feature at the third annual program was the peer-led discussion groups organized by job classification. Participants found particularly instructional the discussion and exchange of ideas and solutions with their counterparts in other courts.

Plans are under way for the fourth Appellate Staff Continuing Studies Program, tentatively scheduled for Los Angeles in October.

● **Contact:** For details on appellate court staff training and education opportunities, Karen Moen, 415-356-6432 (CAL-NET 8-531-6432), or Elizabeth Howard, 415-396-9386 (CAL-NET 8-531-9386). ■



Judge Aranda Is Mourned

Remembered by colleagues as much for his work on the bench as for his efforts to improve and advance the interests of minorities, Judge Benjamin J. Aranda III, 58, died suddenly on January 28. He was enroute to Nashville to receive an award that was emblematic of his career—the "Inspirational Spirit of Excellence Award"—from the American Bar Association (ABA) Commission on Opportunities for Minorities.

Judge Aranda was appointed to the South Bay Municipal Court in Los Angeles by Governor Edmund G. Brown, Jr., in 1979. Since 1996, he frequently served on assignment on the Court of Appeal for the Second Appellate District (Los Angeles).

A member of the Judicial Council since September 1997, Judge Aranda was perhaps best known in the court community for his service as founding chair (1994-97) of the council's Access and Fairness Advisory Committee.

Chief Justice Ronald M. George called Judge Aranda "a distinguished public servant and community leader who was an inspiration to all who knew him. He brought boundless energy, insight, and dedication to his work on behalf of the people of California, both as a judge and as a leader of our efforts to promote fairness and access in the courts. His

outstanding leadership of the Judicial Council's Access and Fairness Advisory Committee has resulted in significant contributions to the administration of justice. On a personal note, I will miss his positive, caring spirit and his devotion to excellence."

William C. Vickrey, Administrative Director of the Courts, said, "California has lost a great judicial leader, and the nation a long-time advocate. . . . This remarkable man inspired everyone who knew him—staff, judges, bar members, and members of the community. He led the effort to improve fairness and access in the judicial branch. He will be missed."

Administrative Presiding Justice Charles S. Vogel, of the Court of Appeal for the Second Appellate District, said, "[Judge Aranda] was enthusiastic, interesting, and a very warm and friendly man. He will be missed by us and his other judicial colleagues and members of the bar. Perhaps what distinguished him most was the depth and scope of his concern for the Hispanic community. He has been at the forefront of those who have labored to improve and advance the interests of minorities."

Judge Aranda was the first president of the Hispanic National Bar Association, from 1977 to 1981. He



Judge Benjamin J. Aranda III

was founder and first president, elected in 1996, of the association's Judicial Council and a founding member of the ABA Commission on Opportunities for Minorities. A founding member and current chair of the ABA Judicial Division Task Force on Minorities in the Judiciary, Judge Aranda created the minority judges directory, the first publication of its kind in the United States.

Judge Aranda graduated from Loyola Marymount University in 1962 and received his J.D. degree from Loyola Law School in Los Angeles in 1969. He, his wife Emma, and their 11 children were named "Hispanic Family of the Year" in 1986. In 1987, they were named one of the Six Great American Families by the White House, the first Hispanic-American family to receive the honor.

Court Briefs

Justice Chin is Commonwealth Club president

Supreme Court Justice Ming W. Chin is the 1998 president of the Commonwealth Club of California, the nation's largest and oldest public affairs forum. Justice Chin, who will serve for one year, has been on the organization's board of governors since 1993, was executive committee chair in 1996, and was president-elect in 1997.

He is the third Supreme Court justice to head the Commonwealth Club. Earlier justices were William H. Waste, who was president in 1923-24, and Homer R. Spence, in 1947-48. William P. Lawlor, one of the six founders of the club, served as temporary president in 1903 and later became a Supreme Court justice.

In his inaugural address, Justice Chin noted that the non-

partisan Commonwealth Club was instrumental in creating the current selection process for California appellate justices. In 1849, the state Constitution established contested party elections as the method for selecting all judges. After several unsuccessful attempts in the early 1900s, the club sponsored a 1934 voter initiative that resulted in today's appointment and election process.

Justice Chin was appointed to the Supreme Court by Governor Pete Wilson in 1996. Prior to his elevation, he served on the Court of Appeal for the First Appellate District, Division Three (San Francisco) for over six years and became presiding justice in January 1995. He also served on the Alameda County Superior Court from 1988 to 1990.

Justice Chin is a recipient of the 1997 Judge Learned Hand Award from the American Jewish Committee in San Francisco and was recognized that same

year by the Orange County Women Lawyers for his "dedication to the independence of the judiciary." Justice Chin earned both his undergraduate and law degrees from the University of San Francisco; the law school selected him Alumnus of the Year in 1993 and the university its Alumnus of the Year in 1988.

Justice Charles Vogel selected for L.A. Bar's highest honor

Administrative Presiding Justice Charles S. Vogel of the Court of Appeal for the Second Appellate District (Los Angeles) will receive the 1998 Shattuck-Price Memorial Award, the Los Angeles County Bar Association's (LACBA) highest honor, during a luncheon in March.

The award is given annually to "an individual who has shown outstanding dedication to the high principles of the legal profession, the administration of justice, and the progress of the Los Angeles County Bar Association." It is named for Edward Shattuck and Ira Price II, LACBA presidents who died in office.

First appointed to the Pomona Municipal Court in 1969, Justice Vogel was elevated to the Los Angeles County Superior Court in 1970, where he served until 1977. He left the bench in 1977 to return to private practice. In 1985, he became president of LACBA and, in 1990, president of the State Bar. Justice Vogel returned to the bench in 1992, when he was appointed to Division Four of the Second Appellate District Court, succeeding then-Justice Ronald M. George, whom the Governor had appointed to the Supreme Court. Justice Vogel became the division's presiding judge and then administrative presiding judge of the entire district.

Justice Vogel and his wife, Justice Miriam A. Vogel of Division One of the Second Appellate District, were honored as 1990 "Persons of the Year" by the *Metropolitan News-Enterprise* (Los Angeles) for their outstanding contribution to the judicial and legal profession. A graduate of UCLA School of Law, he was named Alumnus of the Year in 1986 by the law school's Alumni Association.

Grant to help train temporary judges for small claims

Municipal courts will soon get help in training temporary (attorney) judges for small claims court cases thanks to a \$7,500 grant awarded by the State Bar Foundation to the Judicial Council's Civil and Small Claims Advisory Committee.

The grant will help fund the committee's production of a

small claims training videotape for temporary judges. The training video will be available for use by individuals as well as in a developing curriculum on substantive consumer law. It will orient new temporary judges to the small claims bench, discussing issues such as the transition from attorney to judge, ethical considerations as judge, effective and appropriate hearing procedures, courtroom control techniques, how and where to find the law in supporting publications, model conduct for judges, and typical consumer legal issues confronting small claims judges.

The training videotape will help courts comply with Code of Civil Procedure section 116.920(b) and meet the mandates of rule 1726 of the California Rules of Court, which requires training to be provided by the trial court, and rule 5321.5, under which the presiding judge is responsible for the training of temporary judges. It will also fulfill the Administrative Office of the Courts' goal under section 16.5(e) of the Standards of Judicial Administration, to provide a model program for training temporary judges.

In 1996, a statewide survey conducted by the committee (with 87 of 110 municipal courts responding) revealed that 83 percent of respondents used temporary judges to hear small claims cases but only 50 percent provided a formal training program for temporary judges.

● Contact: Cara Vonk, Council and Legal Services, 415-396-9124 (CALNET 8-531-9124); for information about the California Department of Consumer Affairs training program, Albert Balingit, 916-322-5254 (CALNET 8-492-5254). ■



Justice Ming W. Chin



Administrative Presiding Justice Charles S. Vogel

Judicial Appointments

Governor Wilson made the following judicial appointments from mid-December 1997 to mid-January 1998.

COURTS OF APPEAL

Harry E. Hull, Jr., of the Sacramento Superior and Municipal Courts, to Associate Justice of the Court of Appeal for the Third Appellate District (Sacramento), succeeding Keith F. Sparks, retired.

SUPERIOR COURTS

Anthony J. Mohr, of the Los Angeles Municipal Court, to the Los Angeles County Superior Court, succeeding Florence T. Pickard, retired.

Thomas P. Anderle to the Santa Barbara County Superior Court, succeeding Ronald C. Stevens, retired.

Tani G. Cantil-Sakauye, of the Municipal Court, to the Superior Court, Sacramento Superior and Municipal Courts, succeeding William R. Ridgeway, elevated.

Elizabeth Grimes to the Los Angeles County Superior Court, succeeding Barbara Jean Johnson, retired.

Dale A. Reinholtsen, of the Municipal Court, to the Superior Court, Humboldt Superior and Municipal Court, succeeding William Ferroggiaro, deceased.

Diane Elan Wick, of the Municipal Court, to the Superior Court, San Francisco Trial Courts, succeeding Raymond J. Arata, Jr., retired.

Thomas P. Nugent to the San Diego County Superior

Court, succeeding Arthur W. Jones, retired.

MUNICIPAL COURTS

Keith H. Fudenna, commissioner, to the Fremont-Newark-Union City Municipal Court (Alameda), succeeding Marvin G. Haun, retired.

John T. Feeney to the Municipal Court, Humboldt Superior and Municipal Court, succeeding Dominic D. Banducci, deceased.

Timothy Cissna to the Municipal Court, Humboldt Superior and Municipal Court, succeeding Dale A. Reinholtsen, elevated.

Thomson T. Ong to the Long Beach Municipal Court (Los Angeles), succeeding William T. Garner, elevated.

G. Patrick Marlette to the Municipal Court, Sacramento Superior and Municipal Courts, succeeding Morrison C. England, Jr., elevated.

Rogelio R. Flores, commissioner, to the Santa Barbara Municipal Court, filling a newly created position.


Brian J. Back to the Municipal Court, Ventura County Superior and Municipal Coordinated Courts, succeeding David W. Long, retired.

David P. Warner to the Lodi Municipal Court (San Joaquin), succeeding John T. Seibly, retired.

Andria K. Richey to the Los Angeles Municipal Court, succeeding Anthony J. Mohr, elevated. ■



On behalf of the State Bar Foundation, James M. Seff, second from left, of the bar's Board of Governors, presents a check for \$7,500 to Santa Clara County Consolidated Courts Judge Jamie Jacobs-May, chair of the Small Claims Training Video Working Group. Also present are, left to right, Cara Vonk, counsel, Small Claims Subcommittee; and Civil and Small Claims Advisory Committee members Albert Y. Balingit, Staff Attorney, Department of Consumer Affairs; Commissioner Douglas G. Carnahan, South Bay Municipal Court (Los Angeles); and Judge Victor E. Bianchini, El Cajon Municipal Court (San Diego). Not pictured: Bakersfield Municipal Court (Kern) Judge Sharon Mettler, chair of the Small Claims Subcommittee. See story, this page. Photo: Angela Wills.



Calendar

SAVE THESE DATES

- **FEB 27:** “Family Violence and the Courts IV: A California State Conference” will be held at the DoubleTree Hotel in Sacramento. *(See story, page 1.)*
- **MAR 31–APR 1** (Oakland); **APR 30–MAY 1** (Chico); **JUNE 2–3** (Orange County): Mid-Level Management Conferences will be held at three locations. Details will be announced as they become available.
- **MAY 13–15:** The first statewide planning conference, titled “Courts and Their Communities: Local Planning and the Renewal of Public Trust and Confidence,” will be held in Long Beach. *(See story, page 6.)*

JUDICIAL COUNCIL MEETINGS

All Judicial Council business meetings will be held at the Administrative Office of the Courts (AOC) in San Francisco.

APRIL 24	JUNE 19	AUG 14	OCT 16	NOV 20
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● Contact: Secretariat and Conference Services, 415-396-9347 (CALNET 8-531-9347), e-mail: jcservices@courtinfo.ca.gov.

JUDICIAL EDUCATION

FEB 19–20	Probate and Mental Health Institute, San Luis Obispo
MAR 11–14	Family Law and Procedure Institute, San Diego (tentative)
MAR 13–14	1998 Judicial College Seminar Leader Training, Bodega Bay
APR 2–4	Juvenile Law and Procedure Institute, Oakland Marriott City Center
APR 20–25	Appellate Courts Institute, Embassy Suites, Monterey

COMPUTER CLASSES

MAR 5–6, APR 9–10 Both sessions will be held at CJER’s San Francisco offices.

ORIENTATION PROGRAMS

Orientation programs for new trial court judges, commissioners, and referees are scheduled as follows:

FEB 23–27	MAR 9–13 (tentative)	APR 20–24
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Note: Orientation sessions with insufficient enrollment will be canceled. Call CJER for the latest information.

● Contact: CJER, 415-356-6400 (CALNET 8-531-6400).

ADMINISTRATIVE EDUCATION

MAR 5–6	Building Effective Management Teams, facility and city to be announced
MAR 5–6	Court Budgeting, Orange County, facility to be announced
MAR 19–20	Court Budgeting, Napa, facility to be announced
APR 14–15	Court Budgeting, San Diego, facility to be announced
APR 23–24	Appellate Management Institute, San Diego, facility to be announced
APR 30–MAY 1	Court Budgeting, Sacramento, facility to be announced
JULY 12–31	Court Clerks Training Institute, Palo Alto, Stanford University

● Contact: Administrative Education, 415-356-6400 (CALNET 8-531-6400).

COURT NEWS

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